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RESOLUTION NO. 2020-54

**A RESOLUTION OF THE VILLAGE COMMISSION OF THE
VILLAGE OF BISCAYNE PARK, FLORIDA, URGING CONGRESS
TO REAUTHORIZE THE NATIONAL FLOOD INSURANCE
PROGRAM; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, floods are the most common and destructive natural disasters in the United States and Florida; and

WHEREAS, Congress created the National Flood Insurance Program (NFIP) in 1968 to make affordable flood insurance available to homeowners, renters and business owners in exchange for using the United States Department of Homeland Security Federal Emergency Management Agency (FEMA) generated Flood Insurance Rate Maps for floodplain management by participating communities; and

WHEREAS, the Flood Disaster Act of 1973 requires the purchase of flood insurance as a condition of receiving any form of federal or federal-related financial assistance for acquisition or construction purposes with respect to the insurance of buildings; and

WHEREAS, the NFIP provides affordable flood insurance to property owners by encouraging local governments to adopt and enforce flood plan and water management regulations, best practices and techniques; and,

WHEREAS, the Village of Biscayne Park participates in the Community Rating System (CRS) promulgated under the auspices of FEMA, the Insurance Services Office, Inc., and NFIP; and,

WHEREAS, these mitigation efforts reduce and prevent flooding on new and improved structures, thereby saving lives and reducing injuries, reducing economic losses, maintaining and protecting critical infrastructure, and reducing the liability borne by local governments and their elected officials; and,

WHEREAS, flooding is a serious risk in Florida due to the state's geography and proximity to water, both coastal and inland; and,

WHEREAS, this issue is a critical concern for our state as Florida has the largest number of participants in the NFIP with more than 1.7 million policies in force; and,

WHEREAS, lack of a long-term reauthorization causes uncertainty for beneficiaries and providers; and,

WHEREAS, there is no viable private market for homeowners and businesses to acquire sufficient flood insurance coverage; and,

WHEREAS, accurate mapping is fundamental for local governments to assess and communicate risk to their communities and property owners, but the current mapping process is faulty and often results in artificially inflated risk or communities not being aware that they are at risk of flooding; and

WHEREAS, it is incumbent upon all of us to have a long-term, sustainable and viable NFIP with rates that are affordable; and,

1
2 **WHEREAS**, bi-partisan legislation has been introduced in the House and Senate titled the
3 National Flood Insurance Program Reauthorization and Reform Act of 2019 (NFIP-RE), H.R. 3872 and
4 S. 2187, which would reauthorize the NFIP program for five years; and,

5 **WHEREAS**, this legislation includes provisions to cap annual rate increases to 9 percent, fund
6 resiliency and mitigation programs, and modernize mapping; and,

7
8 **WHEREAS**, FEMA has scheduled to launch a new risk rating system called Risk Rating 2.0 to
9 address deficiencies in the traditional mapping process that was originally scheduled to go into effect
10 October 1, 2020; and,

11
12 **WHEREAS**, FEMA postponed the launch of Risk Rating 2.0 until October 1, 2021, to allow
13 additional time to conduct a comprehensive analysis of the proposed rating structure to protect
14 policyholders and minimize any unintended negative effects of the transition.

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16 **NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE**
17 **VILLAGE OF BISCAIYNE PARK, FLORIDA, THAT:**

18
19 **Section 1. Recitals.** The above recitals are true and correct, and incorporated herein by this
20 reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

21
22 **Section 2. Reauthorization.** The Village Commission of the Village of Biscayne Park
23 supports H.R. 3872 and S. 2187 and urges Congress to reauthorize the NFIP and to keep flood insurance
24 rates affordable for primary, non-primary and business properties while balancing the fiscal solvency of
25 the program. The Village Commission also expresses appreciation to Senator Marco Rubio (R-FL) and
26 Representatives Debbie Mucarsel-Powell (D-26-FL), Charlie Christ (D-13-FL), Stephanie Murphy (D-
27 7-FL) and Alcee Hastings (D-20-FL) for co-sponsoring this legislation.

28
29 **Section 3. Support.** In order for local governments to help their communities and property
30 owners to adequately prepare for risk, Congress should provide additional resources to FEMA to utilize
31 the best technology and methods available to improve the mapping process, including seeking the input
32 from local government officials prior to approving any flood map that could impact local zoning rules.

33
34 **Section 4. Severability.** If any section, sentence, clause or phrase herein is held to be invalid
35 by any court of competent jurisdiction, then said holding shall in no way affect the validity of the
36 remaining portions of this Resolution.

37
38 **Section 5. Effective Date.** This Resolution shall become effective immediately upon its
39 adoption.

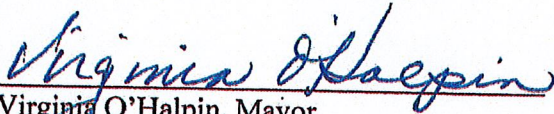
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41 **Section 6. Distribution.** A copy of this resolution shall be sent to President Donald Trump,
42 the Florida Congressional Delegation, the National League of Cities, the Florida League of Cities and the
43 Miami Dade County League of Cities.

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46 **PASSED AND ADOPTED** this 6th day of October, 2020.

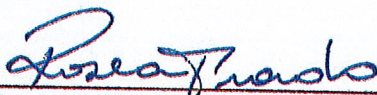
1 The foregoing Resolution was offered by Commissioner Ross, who moved its adoption. The
2 motion was seconded by Commissioner Samaria, and upon being put to a vote the vote was as follows:
3

4 Virginia O'Halpin, Mayor: Yes
5 MacDonald Kennedy, Vice-Mayor: Yes
6 Roxanna Ross, Commissioner: Yes
7 Dan Samaria, Commissioner: Yes
8 Dan Samaria, Commissioner: Yes
9

10 VILLAGE OF BISCAYNE PARK
11

12 
13 _____
14 Virginia O'Halpin, Mayor
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16

17 ATTEST:
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19 
20 _____
21 Roseann Prado, Village Clerk
22
23

24 APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE
25 USE AND RELIANCE OF THE VILLAGE OF BISCAYNE PARK ONLY:
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28 _____
29 Edward A. Dion, Village Attorney
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